

MINUTES OF THE CANANDAIGUA CITY
COUNCIL MEETING
THURSDAY, AUGUST 3, 2017 7:00 P.M.
City Council Chambers
City Website: canandaiguanewyork.gov

Pledge of Allegiance:

Roll Call:

Members Present: Councilmember Ward 1 Nick Cutri
Councilmember Ward 2 Anita Twitchell
Councilmember Ward 3 Karen White
Councilmember Ward 4 Cindy Wade
Councilmember-at-Large Matt Martin
Councilmember-at-Large Robert O'Brien
Councilmember-at-Large James Terwilliger
Mayor Ellen Polimeni

Members Absent: Councilmember-at-Large David Whitcomb (Arrived 7:31)

Also Present: City Manager John Goodwin
City Clerk-Treasurer Nancy C. Abdallah

Mayor Polimeni stated that Councilmember-at-Large Whitcomb was going to be late due to work.

Mayor Polimeni asked for a moment of silence for former Mayor of Canandaigua Earl Coleates who passed away last month.

Public Hearing: An application for Community Development Block Grant funding from the New York State Office of Community Renewal to provide financing to assist in the establishment of a hotel and conference center at 205 Lakeshore Drive.

Mayor Polimeni called the public hearing to order at 7:05 pm.

- Harry Sicherman, (grant writer), reviewed the application and answered questions. Developers are asking the City to submit the preliminary application. Grant recipients will be announced in October or November and the project must be done within two years.
- Councilmember Ward 2 Twitchell asked about job creation.
- Cindy Wallace – Gibson St. stated that these grants should be for low to moderate income families – will this actually be there for low to income people
 - Not meant for high priced projects
 - So many other projects in community that are in need of funds
 - Should wait for things that are securely in place before considering.
- Mike Yarger, Main St. property owner, is concern because we have been told previously that a grant was not necessary for the project to proceed, but now we are hearing that the grant must be receive or the project can't proceed. This is a failed project; no local banks will fund it and it sat there two years unfinished. We should not be putting taxpayer funds into this.

Closed public hearing 7:20

Review of Community Core Values: Councilmember-at-Large O'Brien read Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Approval of Minutes:

July 6, 2017	Moved: Councilmember-at-Large Terwilliger Seconded: Councilmember-at-Large Martin Vote Result: Carried unanimously by voice vote (8-0)
July 13, 2017	Moved: Councilmember-at-Large Terwilliger Seconded: Councilmember Ward 1 Cutri Vote Result: Carried unanimously by voice vote (8-0)
July 25, 2017	Moved: Councilmember-at-Large Terwilliger Seconded: Councilmember Ward 1 Cutri Vote Result: Carried unanimously by voice vote (8-0)

Recognition of Guests: None

Committee Reports:

Planning Development Committee Meeting: August 1, 2017 (Appendix A)

- Economic Development Report

Environmental/Parks Committee Meeting: July 11, 2017 (Appendix B)

- Special Event – Light the Hill
- Special Event – Community Band Concert
- SEQRE Dog Park
- Canandaigua Finger Lakes Resort – Request for Dock

Ordinance/Charter Committee Meeting: July 18, 2017 (Appendix C)

- Public Hearing on Amendments to Chapter 496-“Chronic Nuisance Properties”
- Clean Energy Communities Program

Finance/Budget Committee Meeting: July 25, 2017 (Appendix D)

- Water Main Budget Amendment
- School Resource Officer Agreement
- Police Department Budget Amendment

Resolutions:

Resolution #2017-077:

Moved: Councilmember Ward 4 Wade
Seconded: Councilmember Ward 3 White

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

WHEREAS, 205 Lakeshore Drive, LLC plans to complete the construction of a hotel, conference center, restaurant, and related facilities at 205 Lakeshore Drive in Canandaigua, New York, New York; and

WHEREAS, Canandaigua Finger Lakes Resort, LLC (the “Company”) will lease, furnish, equip, and operate such facilities (hereinafter the “Project”); and

WHEREAS, the Company has requested that the City of Canandaigua apply on its behalf for funding for the Project from the New York State Office of Community Renewal (the “OCR”); and

WHEREAS, the Project will result in substantial benefit to the City in the form of, among other things, new employment positions, private investment, and increased tourism; and

WHEREAS, the City has held a public hearing to obtain citizens’ views regarding the CDBG program as administered by OCR and regarding the Project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the Mayor is hereby authorized to submit a grant application in an amount to be determined by the OCR and not to exceed the sum of seven hundred fifty thousand dollars (\$750,000), such amount to be provided as a grant to the Company to finance a portion of the furnishings, fixtures, equipment, or working capital costs required for the Project; and

BE IT FURTHER RESOLVED, that the Mayor is hereby designated as the Environmental Certifying Officer for the purposes of complying with the applicable federal environmental review requirements for the OCR grant; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the OCR grant agreement and all related documents associated with the OCR grant, subject to review and approval by the City Attorney.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O’Brien, Councilmember-at-Large Whitcomb, Councilmember-at-Large Terwilliger and Mayor Polimeni.

NOES: None

Resolution #2017-078:

Moved: Council Member Ward 1 Cutri

Seconded: Council Member Ward 2 Twitchell

A RESOLUTION DECLARING LEAD AGENCY STATUS OVER THE ENVIRONMENTAL REVIEW TO ESTABLISH A DOG PARK AT 97 BUFFALO ST.

WHEREAS, the City has been working with the Canandaigua Canine Campus for the last several years to develop a dog park within the City and has purchased 97 Buffalo St. for such purpose; and

WHEREAS, the creation of a dog park at this property is subject to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the City of Canandaigua intends to act as lead agency for the purposes of this review; and

WHEREAS, the City of Canandaigua has prepared Part I of the Short Environmental Assessment Form pursuant to this action which is on file with the City Clerk/Treasurer;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby establishes itself as Lead Agency pursuant to 6 NYCRR Part 617 for the purpose of establishing a dog park at 97 Buffalo St.; and

BE IT FURTHER RESOLVED that the City Council intends to make a determination of the significance in accordance with the requirements of SEQRA; and

BE IT FURTHER RESOLVED that the City of Canandaigua will conduct a public hearing Thursday, September 7, 2017 for the purposes of accepting public comments pursuant to the provisions of the SEQRA; and

BE IT FURTHER RESOLVED that a copy of this resolution and Part I of the Short Environmental Assessment Form be forwarded to the NYS Department of Environmental Conservation, and the New York Office of Parks, Recreation and Historic Preservation as involved agencies.

The motion CARRIED UNANIMOUSLY on the following vote:

***AYES:** Council Member Ward 1 Cutri, Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb, Councilmember-at-Large Terwilliger and Mayor Polimeni.*

***NOES:** None*

Resolution #2017-079:

Moved: Councilmember Ward 3 White

Seconded: Councilmember-at-Large Martin

**A RESOLUTION AUTHORIZING A MUNICIPAL COOPERATION AGREEMENT TO
PROVIDE SCHOOL RESOURCE OFFICERS**

WHEREAS, the Canandaigua City School District has contracted with the City of Canandaigua to provide a school resource officer (SRO) program in order to develop a strong, supportive relationship between students, faculty and law enforcement which deters criminal behavior and maintains a safe learning environment; and

WHEREAS, the Canandaigua City School District desires to continue the SRO program with two part-time officers for the 2017-2018 school year; and

WHEREAS, the Canandaigua City School District has agreed to reimburse the City for 100% of the expense of two part-time officers for the SRO program; and

WHEREAS, the City desires to continue the SRO program;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby authorizes the City Manager to execute an Agreement with the Canandaigua City School District to provide two part-time school resource officers.

Discussion: Council Member Ward 2 Twitchell was not in favor of law enforcement in school because it may make it easier to arrest a student verses counseling. She would like to explore other options. Councilmember Ward 4 Wade was in favor of the SRO in school because it provided her son a positive role model.

The motion CARRIED on the following vote:

AYES: Council Member Ward 1 Cutri, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb, Councilmember-at-Large Terwilliger and Mayor Polimeni.

NOES: Councilmember Ward 2 Twitchell

Resolution #2017-080

Moved: Councilmember-at-Large O'Brien

Seconded: Councilmember-at-Large Martin

A RESOLUTION AMENDING THE POLICE DEPARTMENT BUDGET TO REPLACE A FAILED AIR CONDITONING CONDENSING UNIT

WHEREAS, a compressor on an air conditioning condensing unit for the second floor of the Police Station failed and the City's repair technician recommended that the condensing unit be replaced as the unit was 18 years old and that the unit had reached its lifespan and to repair the compressor was about half the cost of a new unit; and

WHEREAS, the replacement of the condensing unit was not budgeted for and requires a budget amendment; and

WHEREAS, three quotes were obtained with the lowest quote received by Halco for a total cost of \$4,165; and

WHEREAS, a budget amendment to appropriate \$4,165 from contingency to the Police Department budget was reviewed and endorsed by the Finance/Budget Committee at its July 25, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby authorizes a budget amendment to the 2017 General Fund Public Safety budget in the amount of \$4,165 from the Contingency budget for the purpose of replacing the condensing unit.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb, Councilmember-at-Large Terwilliger and Mayor Polimeni.

NOES: None

Resolution #2017-081:

Moved: Council Member Ward 2 Twitchell
Seconded: Councilmember-at-Large O'Brien

A RESOLUTION APPOINTING BOYLAN CODE LLP AS CORPORATION COUNSEL

WHEREAS, on July 15, 2017, Michele O. Smith, resigned as Corporation Counsel; and

WHEREAS, the City Council has completed the recruitment process to fill the vacant position and has selected the law firm of Boylan Code LLP to serve as the Corporation Counsel of the City of Canandaigua as provided for in the City Charter; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the law firm of Boylan Code LLP is hereby appointed Corporation Counsel of the City of Canandaigua, New York, effective August 7, 2017, pursuant to the Charter of the City of Canandaigua, and the laws of the State of New York;

BE IT FURTHER RESOLVED that Mayor Ellen Polimeni is hereby authorized and directed to execute an agreement between the City of Canandaigua and the law firm of Boylan Code LLP under the terms and conditions approved by City Council.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb, Councilmember-at-Large Terwilliger and Mayor Polimeni.

NOES: None

Resolution #2017-082:

Moved: Councilmember-at-Large Whitcomb
Seconded: Councilmember Ward 4 Wade

A RESOLUTION AUTHORIZING PAYMENT FROM INSURANCE RESERVE FUNDS

WHEREAS, Gatehouse Media Inc. commenced a tax assessment review proceedings against the City pursuant to Article 7 of the Real Property Tax Law relating to the City of Canandaigua tax parcel 70.2-1-39 (73 Buffalo Street); and

WHEREAS, the City and Gatehouse Media, Inc. have entered into a Stipulation of Settlement providing for the voluntary settlement and discontinuance of these proceedings; and

WHEREAS, the settlement requires a refund of \$11,464.72 for tax payments made in 2015, 2016 and 2017; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Canandaigua that the Clerk/Treasurer is authorized to refund the appropriate tax payment to Gatehouse Media, Inc. which amount shall be disbursed from the Insurance Reserve Fund in the amount of \$11,464.72 as a proper expenditure related to a valid legal claim.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Councilmember Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb, Councilmember-at-Large Terwilliger and Mayor Polimeni.

NOES: None

Ordinances:

Ordinance #2017-001: *(Introduced and tabled July 6, 2017)*

AN ORDINANCE AMENDING CHAPTER 496 OF THE MUNICIPAL CODE ENTITLED “CHRONIC NUISANCE PROPERTIES” TO CREATE A PROCESS FOR TEMPORARY AND PERMANENT INJUNCTIONS

Councilmember-at-Large Martin indicated that this would remain on the table to discuss further in committee.

Local Laws: None

Manager's Report: City Manager John Goodwin reported the following:

- Thank-you to students from St. Mary's helped clean up Kershaw Park.
- Next week is the last week of camp and thanked Dan Mackey and his staff for a successful camp.
- In progress toward a greener community – the electric vehicle charging station will be installed this month.
- Reviewed the special events for August

Appointments: None

Miscellaneous:

- Mayor Polimeni mentioned that it was a successful Lakefront Arts Festival last weekend.
- In lieu of office hours at City Hall the Mayor will hold a “Walk and Talk with the Mayor” on Saturday and meet with people starting at the Wine and Culinary Center and walk along the Lakefront.
- Council Member Ward 2 Twitchell thankful for progress in Ward 2 with Pinnacle North and the Habitat for Humanity home being built.

Adjournment

Councilmember Ward 3 White moved to adjourn the regular session at 8:24 PM. Councilmember-at-Large Whitcomb seconded the motion.

Vote Result: Carried unanimously by voice vote (9-0).

Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua

APPENDIX A
PLANNING/DEVELOPMENT
Tuesday, August 1, 2017
7:00 p.m.
Hurley Building Conference Room

Committee: Cindy Wade, Chair, Robert O'Brien, Anita Twitchell, Jim Terwilliger

Other Council Members: Ellen Polimeni, Karen Wade,

Staff: John Goodwin, Rick Brown

1. Economic Development Report

City staff has been performing the economic development activities on behalf of the City in 2017. This will be the second economic development report, reporting on the activity from April-June.

The City Manager stated we hit the reset button on June 15th, and we're starting to discuss what kind of economic development program we want. Multiple stakeholders (12) engage in these meetings and bring a variety of skills, and were asking them to help us identify grants we should pursue, tools we should be using, what kind of businesses do we want, what parts of the City need the most attention? The Town is in the same place as we are, and we've begun discussing approaching economic development as a group sharing resources. We each have areas of strengths, and our municipalities could pool resources to help each other be successful. We are still in the early phases of a joint effort. The Mayor mentioned that we've been in ongoing meetings with the Town about collaborating, and she signed off on the piece that will go to the State for the shared services commission. Many of the things that are in that plan are things the City and Town are looking to work on together. Some other areas could include parks and rec and other departments. We are also seeing if CADC would be active in helping with the joint economic development. The CADC has been more active recently.

We are also working to develop a program to offer small business loans through our CDBG funds to get small businesses to relocate to the City and/or rehab facilities. Our CDBG money was originally from the federal government specifically for improving structural, material aspects of businesses. We are still working out the details for the new program. John hopes to bring more information to the next Finance Committee Meeting. Loans would be for up to \$50,000 on 5-year terms, depending on the project and subject to Council approval.

John also updated the Council on the DRI proposal. The Governor has announced a few winners so far. We spent some time discussing potential projects if we were to win the grant.

Robert O'Brien asked for an update on Tom's Mobil- the person who owned the property passed so the DEC lost their property access agreement. They are trying to set up an executor for the will to get a new property access agreement. John mentioned that we submitted a CFA grant and remediation was part of the DRI plan. He also wanted to know what is happening with Byrne Dairy. Denise from BID gave an update on the project. She also updated the Council on Green Huskies, who got approved at planning but he is holding out to see what the DRI comes back with. Owner is aware there is a delay on the funding. Robert asked about the small business loan program, and John stated it would be a great fit up to \$50,000. Bambino's is approved to start building out. Thai by night is open and doing well. Country U is doing well. Cinderella glass opened June 1st and has gotten very involved in the arts community. Several new tenants are moving into the old Elliot's appliance store.

APPENDIX A (Continued)
PLANNING/DEVELOPMENT
Tuesday, August 1, 2017

The old Kind Connections has been repainted and holding out for the right tenant. Simco's property is under contract and that's all she can share other than the potential buyer is an investor and going to put significant money into the property. The Acme Market building is doing a lot of work on the inside of the building, and wants to work with BID to find the right tenant. There are several other vacancies they are trying to fill. She recommended we recognize Andy Griffiths for being a huge asset to the community. Unique Toys is doing huge exterior improvements. Denise thinks things are going well, but we should start thinking about 2018 about what we want. Where does the Council want us to go? What are the priorities we should be pursuing? The Mayor says we should explore incentives and the CDBG money. Cindy pointed out using those funds to redevelop downtown is part of the City's strategic plan. She also suggested we should get a person to write joint grants with the Town.

Karen asked about El Posto, the property and business has changed hands and is remaining an Italian Restaurant.

Robert suggested some sort of indication that people are entering the City/downtown historic district to differentiate and delineate the shopping area from the rest of the City. John mentioned one of the things in the DRI is some sort of unified way-finding with the Town. John suggested labeling unique neighborhoods and also discussed our new street lights which will delineate the area of the City. Jim suggested setting priorities now is dangerous instead of giving Council time to do so and getting the Town's input. John agreed, but pointed out our goals will be different and we need to decide what is best for the City. Karen agreed with Jim that the City's committee should focus on developing the City. She would also like to hear from other Cities to see what has worked in other communities. Jim pointed out the DRI funding will have a big impact on the direction the City takes. The Mayor heard from Geneva a lot of what they wanted didn't end up in the final plans.

Cindy shared that next month we will be reviewing the strategic plan as we move into budget season. From the strategic plan we can start to put together ideas for economic development. It's just as important to bring in new businesses as it is to retain them, and we need to find ways to bring revenue into the City. Jim added growth as a function, and that we should use those three functions to determine economic development. Anita spoke to the importance of the Phoenix Street Walkway Project.

Anita motioned to close the meeting and moved into Executive Session-Work History of a Corporation, Robert seconded. Motion passed unanimously.

Meeting adjourned at 8:01 P.M.

ENVIRONMENTAL/PARKS
Tuesday, July 11, 2017
7:00 p.m.
Hurley Building Conference Room

Committee: Nick Cutri, Chair; Anita Twitchell (Absent); David Whitcomb; Matt Martin

Other Council members: Ellen Polimeni, Karen White, Cindy Wade (7:22), Robert O'Brien, Jim Terwilliger

Staff: John Goodwin; Chief Hedworth

1. Special Event – Light the Hill

Light Hill/Canandaigua Comfort Care Home provides specialized care for the terminally ill and their family as an alternative to nursing home, hospital or home care. Light Hill is planning a luminaria celebration at Kershaw Park on Sunday, November 12th at 7 PM as a fundraiser and a memorial event. Mary Kay Naioti, Development and Volunteer Coordinator for Light Hill, will be at the meeting to answer any questions.

AGENDA ITEM POSTPONED UNTIL NEXT MONTH

2. Special Event – Community Band Concert

Greg Kane, a music teacher at the Canandaigua Academy, contacted City staff regarding a Community Band Concert at the Kershaw Park Gazebo. Mr. Kane proposed a free community concert and an opportunity for CA graduates and other community members to play a concert.

Greg Kane the Director of the Finger Lakes Concert Band. Submitted application for Community Concert event on August 3rd.

Matt Martin motions to Approve, David Whitcomb Seconded.

3 for, 0 against. Motion Passes.

3. SEQRA for Dog Park

As part of the development of a dog park at 97 Buffalo Street, a State Environmental Quality Review must be completed. At the meeting staff will review a Short Environmental Assessment Form with the Committee to begin the SEQRA process.

John Goodwin discussed the SEQRA process to further application. There won't be any extra traffic and it will be used as a park so there will be minimal environmental impact. Need two State offices to approve the site. After 30 days we can declare the space a park.

Robert O'Brien asked adding facilities and if we would need to do a new SEQRA, John said we can easily amend the form. We need to use the process because it's a completely new use for the property. Matt Martin asked if the sites former contaminated status would be an issue if we dug, and John said there are procedures to deal with contaminated soil that we would follow.

A resolution will be on the next meeting agenda declaring lead agency, a notice will be sent to involved agencies and then a final determination at the September meeting.

David Whitcomb motions that this be recommended to council, Matt Martin Seconded.

3 for, 0 against. Motion Passes.

APPENDIX B (Continued)
ENVIRONMENTAL/PARKS
Tuesday, July 11, 2017

4. Canandaigua Finger Lakes Resort – Request for Dock

At the June 20th Ordinance Committee and June 27th Finance/Budget Committee, a request from the developers of the Canandaigua Finger Lakes Resort for an expansion of the existing Canandaigua Lady dock adjacent to the hotel site was reviewed and discussed. The Finance/Budget Committee decided that the review and discussion should continue at the Environmental/Parks Committee meeting. Attached to the agenda is a revised sketch for the requested dock.

Bob Murphy and Phil Greene gave a revised design proposal for the dock slips. The new design has a public boardwalk and public docking up to the pier, and the docks for condo residents would go out in a straight line. It would also relocate the Rose Park docks to allow access to the inner slips. It would also open up a clear eye line to the lake that currently does not exist. There would be approximately 250 ft. separation between the docks.

Matt Martin commented on his appreciation of Phil's attempt to give the lake view back to the public. Mayor Polimeni echoed Matt's sentiment. These are possibilities to pursue in regards to docking, so that is something that should be looked at. She received a letter containing 6 points that need to be addressed, and shared those points.

The Mayor stated that, at this point in time, she would like to return a letter regarding these points and asked the council for their input. David Whitcomb asked about the term sheet from the financier about Attorney General's approval for the condos, and Mr. Murphy said they are approved. David expressed his frustration that there is minimal information and the funder doesn't want to be identified. He said he appreciates the effort, but it's basically trading one view for another. The general plan has been tweaked, but "it's the same dog with different fleas" and he does not support the proposal. Nick Cutri Agreed. Robert O'Brien asked for clarification on the grant requests- Mr. Murphy has hired three consultants to assist with finding appropriate and additional funding. The grants aren't required to move the project forward, but the lender has asked for a good faith effort. Mr. Murphy will submit the alternative options to the financier to see if they find them acceptable. Karen White brought up a concern about the loss of the view the new proposal would create. She would support some docks for the condos if it did not impact the current view. Phil stated he would need to go back and do some work- he thinks there could be room for compromise. David agrees about protecting the view, but he is concerned about the slippery slope this could create.

Comments were taken from General Public against request for dock expansion. A resident wanted to know why all the rose park docks are blocking the shoreline, but the permit for these is in place. The original design for Rose Park encompassed the entire property, which is why the docks are located where they are. There is some disagreement about the property line for Rose Park. Peter Blackwood suggested City Council keep the issues of Rose Park Obstructed view and the docks for the condos should remain separate issues. There is concern over the private docks on public land, and they are asking to expand something that is already private. Renee Sutton pointed out the environmental concerns these docks could pose. Cindy Wade brought up the capacity study that was done. Statistically speaking 6 boats during peak season for 20 days a summer doesn't suggest access concerns.

Motion to adjourn executive session and meeting at 8:26 made by David Whitcomb, 2nd by Matt Martin. Vote 4-0

APPENDIX B (Continued)
ENVIRONMENTAL/PARKS
Tuesday, July 11, 2017

David Whitcomb motioned that this isn't approved and doesn't go back to council. Matt Martin said he doesn't see a point in motioning. The Mayor mentioned the points she wants to make to the financier and asked if David Whitcomb agreed, and he does, he just thinks there are other options. The question is whether or not the financier needs docks or dockage, and we need to find different options other than building a dock. The Mayor asked the committee to consider approval to send a letter to the financiers saying we aren't interested in docks adjacent to the property. Eli Bowen thinks if enough money is put up, a valet service could be set up. The Mayor says it's definitely a possibility. Bob Murphy asked if we could tell the financier how many docks they would have access to. Robert O'Brien questioned whether or not it is a needed amenity, and applauded the Mayor for seeking alternatives.

David Whitcomb formalized his motion allowing the Mayor to respond to points 2-6 and that the council and community does not support additional docks in any way, but does support finding alternatives. In addition, the council supports finding grant funding. Matt Martin seconded.

3 for, 0 against. Motion Passes.

Meeting Adjourned at 8:02 p.m.

APPENDIX C
ORDINANCE/CHARTER COMMITTEE
Tuesday, July 18, 2017
7:00 p.m.
Hurley Building Conference Room

Committee: David Whitcomb, Chair; Matt Martin; Karen White; Nick Cutri

Other Council members: Ellen Polimeni; Jim Terwilliger; Robert O'Brien; Cindy Wade **(7:32 P.M.)**

Staff: John Goodwin;

1. Public Hearing on Amendments to Chapter 496 – “Chronic Nuisance Properties”

The City Council at its July 6, 2017 meeting scheduled a public hearing regarding the proposed amendments to Chapter 496 of the City Code entitled “Chronic Nuisance Properties” to be held at the Ordinance Committee meeting. The amendments were previously reviewed by the Ordinance Committee at its June 20, 2017 meeting. Attached are the proposed amendments and a summary of the ordinance.

The council reviewed the changes to the ordinance, and asked questions about specific features of the document. Mike Yarger asked what prevents it from being arbitrary and capricious. Robert O'Brien asked what suggestions he had to alter the document to address the issue and reminded him it's not in the Council's best interest to target people. The mayor pointed out the three action options are meant to address various levels and severity of a given situation. Matt Martin suggested we add an appeal clause to the ordinance, such as a 15-20 response period and a hearing with the Council. Jim Terwilliger pointed out that the City Attorney reports to the City Council, and chain of command would prevent favoritism from being shown.

Natalia asked how nuisance properties will be identified, and John shared there is a committee specifically geared towards that task. Properties and corrective action would be discussed during these meetings. The Mayor pointed out any reports called in to her or Council members are reported to City Manager, and John added there is a form online to report code violations. Natalia suggested an anonymous reporting process be added to the website, because people won't make complaints if they have to be named. John said he can have IT look into adding that to the website. Matt suggested using Fire Fighters to inspect buildings, and John told him they tried to add it to the department duties. The department fought that and won, so if they do fire inspections we need to pay straight time overtime. An issue is they are looking for fire code violations- not property code violations. It will be one of the new Chief's duties to rectify this issue.

Mike Yarger asked why the stiffer penalties, and Matt Martin pointed out this is being geared towards higher value properties. He suggested a subsection clarifying those penalties based on the type of property. John pointed out that the increased penalties are only in play if a judgment or corrective action is intentionally ignored. Natalia wants a better mechanism, because code enforcement officers don't assess violations because the court will throw them out. Her neighborhood is a “slum” and she is sick of it. There needs to be consequences for their behavior, and she offered several suggestions how to address this. Karen White agreed with Natalia, and said there are some things that have been reported but not corrected. The “niceness” hasn't worked. Matt said we need to “change the culture” and be less patient. John stated we can look at processes and see where it's appropriate to “drop the hammer” more frequently. If we have responsive and responsible property owners, they deserve the opportunity to fix violations. Not every situation is cut and dry, and violations need to be handled on a case by case basis.

APPENDIX C (continued)
ORDINANCE/CHARTER COMMITTEE
Tuesday, July 18, 2017

2. Clean Energy Communities Program

Administered by the New York State Energy Research and Development Authority (NYSERDA) the Clean Energy Communities (CEC) program works with local governments to implement clean energy actions, save energy costs, create jobs, and improve the environment. In addition to providing tools, resources, and technical assistance, the program recognizes and rewards municipalities that take a leadership role, specifically those that complete four of the ten High Impact Actions to earn the Clean Energy Community designation. Part of the reward is grant funding with no local cost share to support additional clean energy projects. The City is well positioned to quickly earn this distinction and can further its clean energy leadership role by completing High Impact Actions. Staff is still researching some of these items and will present them to City Council. The first recommended item is adopting the unified solar permit.

a. Unified Solar Permit

This is a standardized permit that NYSERDA is incentivizing municipalities with grant awards of \$2,500 to adopt (if adopted by July 28, 2017). It is expected to cut costs by creating a uniform permitting process in municipalities across the State as municipalities adopt the permit, installers and municipalities will save time and resources permitting solar electric systems.

We adopted the climate pledge at the last meeting, and we are working with NYSERDA to qualify for funding and recognition. One benchmark to do so is adopting the Unified Solar Permit. This makes it uniform for all buildings to add solar, and would be added to our existing building permits. The Mayor added if the committee approves, she would like to have a special committee by July 28th to qualify for funding. Matt asked for clarification- if we adopt this the State will give us \$2,500 to do so. Cindy Wade asked how this would work in relation to existing ordinances. John stated you'd still need to comply with zoning, but this streamlines the process.

Matt Martin motioned to approve the Unified Solar Permit and for a special hearing next Tuesday, Karen White seconded.

Mike Yarger wants to know why the rush is there- he feels anytime the State incentivizes anything there are question marks. The quick turnaround is because we recently learned about the program, and we would lose the \$2,500. Robert O'Brien pointed out this will make it less expensive to install solar power for residents and easier for contractors. We aren't trying to obscure anything, just make the process easier to reduce greenhouse emissions.

3 for, 0 against. Motion passes.

General meeting closed at 7:55 P.M.

Executive Session- To discuss the work history of an individual and pending litigation

Meeting adjourned at 8:52 P.M.

APPENDIX D
FINANCE/BUDGET COMMITTEE
Tuesday, July 25, 2017
7:11 p.m.
Hurley Building Conference Room

Committee: James Terwilliger, Chairman; Robert O'Brien (arrived at 6:45); Cindy Wade; Karen White

Other Council Members – Ellen Polimeni; Anita Twitchell; Matt Martin

Staff: John Goodwin; Jim Sprague

2. Water Main Budget Amendment

For the last several years the City has been planning water main improvements to ensure that the distribution system has more redundancy. This project included obtaining an easement from New York State to cross the state boat launch for a new water main that will connect Town Harbor and Holiday Harbor, connect Holiday Harbor and South Main Street, and connect the water main on the south side of Eastern Boulevard at the Wegman's Plaza to the water main on the north side of Eastern Boulevard near the City/Town boundary. The current engineers estimate for this work is \$264,330. The 2017 Water Capital Budget includes \$200,000 for this project. The budget also includes \$200,000 for Phase I of the water meter system replacement. After reviewing the costs of replacing water meters and testing current meters, City staff believes that this project can be delayed. As such, staff is requesting to reallocate \$100,000 from the Phase I Water Meter System Replacement to the water main project.

John Goodwin explained that there was an easement for this project so there would be a redundant loop to the system. The project has not gone out to bid, but it was more expensive than anticipated. They want to hold off on Phase I and reallocate \$100,000 towards the water main project so it's budget neutral. Jim asked why we aren't waiting until we have bids to do this, and John said it's possible but this is a preemptive measure. Karen asked what redundancy means, and John explained. The Mayor asked how old the water meters are and the life expectancy. Jim stated ours are 12-13 years old, and the industry standard is 10 years or a million gallons. They aren't in a panic to replace them yet. A lot of the commercial meters get replaced annually. Cindy agreed we should wait to go to bid, and asked how many areas don't have redundancy. Jim stated most of the city does, but if they lose the one on Parrish St it makes getting water more challenging. There is some redundancy but it is not efficient. Fixing this one is critical because it affects water pressure to many residents and the high school. Cindy supports the project but wants to wait until we have bids. Robert thinks moving money early is better, and doing things incrementally takes away sticker shock. He asked about the size and age of infrastructure of the current set up, and John explained how the current set up puts strain on the current pipe which could fail. Jim explained the items to be replaced are part of the original infrastructure.

Robert O'Brien motioned we transfer the \$100,000 and Karen seconded.

Cindy will not support the motion until bids come in. That said, she supports the project. Mike Yarger asked how big the line they are putting in would be, and Jim responded a 10 inch line. Mike questioned if that is going to be enough, and Jim explained why we can't use a larger line.

2 for- does not receive majority. MOTION DOES NOT PASS.

APPENDIX D (continued)
FINANCE/BUDGET COMMITTEE
Tuesday, July 25, 2017

3. School Resource Officer Agreement

For the last several years, the City and the School District have entered into a municipal cooperation agreement for the school resources officer (SRO) program. The program's goal is to develop a strong, supportive relationship between students, faculty and law enforcement in order to deter criminal behavior and maintain a safe learning environment. The School District reimburses the City for 100% of the expense for two part-time Police Officers for the SRO program. City staff recommends that the Committee approve the agreement.

John explained this program has been in place for a few years, and the new superintendent wants to continue the agreement.

Karen motioned that the agreement continues, and Robert O'Brien seconded.

The Mayor stated we are fortunate that the district is willing to put up all funds for the position through reimbursement. Cindy asked if we could do a multiple year deal. The Mayor explained we can't because the district does it by budget year.

4 in favor, 0 against. MOTION PASSES.

4. Police Department Budget Amendment

In May, a compressor on an air conditioning condensing unit for the second floor of the Police Station failed. The City's repair technician recommended that the condensing unit be replaced as the unit was 18 years old and that the unit had reached its lifespan and to repair the compressor was about half the cost of a new unit. Three quotes have been obtained with the lowest quote received by HALCO for a total cost of \$4,165. This funding was not budgeted for and is requested to come from contingency.

John explained one of the AC units failed, and SmartWatt stated that it is cost prohibitive to replace the unit. We are going to try and incorporate this into the street light project to keep it budget neutral. Karen asked about getting rid of the sky light, and John said they want to get rid of it as soon as possible and it's in the capital plan.

Robert motioned to reallocate the funds from the contingency fund to replace the air conditioner, Karen seconded.

4 in favor, 0 against. MOTION PASSES.

The Mayor motioned to move to executive session to discuss pending litigation and the group approved it unanimously at 7:35 PM.

Meeting adjourned at 8:51 P.M.